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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Nathan Schulhof, James M. Janky and Grant Jasmin

U.S. Serial No: 08/ 643,963

Group Art Unit: 2414

Filing Date: 7 May 1996

Examiner: Tuan Dam

Title: "ENHANCED DELIVERY OF AUDIO DATA"

Assistant Commissioner for Patents
Washington, D.C. 20231

RULE 132 AFFIDAVIT CONCERNING INVENTORSHIP
(37 C.F.R. §1.132)

Dear Sir:

The Examiner for the above-identified patent application has cited and applied U.S. Patent No. 5,557,541 as a material background reference against the subject patent application. The subject matter and inventions disclosed in U.S. Patent No. 5,557,541, both those claimed in the '541 patent and those not claimed in the '541 patent, were conceived by Nathan Schulhof and James M. Janky, who are two of the three inventors named in the subject patent application. This includes disclosure of: use of a microprocessor to receive and transfer audio data at a high download rate; use of a diskette recording means, connected to the microprocessor, to record the data in a compressed format on a removable diskette; playback means for receiving the removable diskette and for selecting and decompressing at least one selected data file on the diskette; and audio output and conditioning means, connected to the playback means, for selecting and retrieving a data file and for reproducing the selected data file in audibly perceptible form for playback at a real time delivery rate. These features are common to the recitations in the independent claims 1, 10, 18, 27, 35 and 44 of the subject patent application.

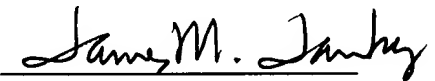
I hereby declare that all statements made herein of my own knowledge are true, and that all statements made herein on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of this application or any patent that issues on this application.

Date: 12 January 1998



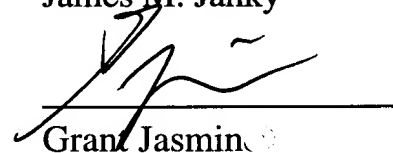
Natahan Schulhof

Date: 12 January 1998



James M. Janky

Date: 12 January 1998



Grant Jasmine